

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

NELSON G. SANTIAGO,

Plaintiff,

v.

No. 2:17-cv-05788

SUPERINTENDENT CYNTHIA LINK;

JOE KORSZNIAK, *Correctional Health
Care Administrator*;

DR. WEINER, *MDO of Correct Care
Solutions*;

BOB GROSSMAN, *Nurse Supervisor*;

RN JAIME LINK, *Subordinate*;

CORRECTIONAL OFFICER MEREDITH;

CORRECTIONAL OFFICER PUFORY;¹

CORRECTIONAL OFFICER AUSTIN; and

CORRECTIONAL OFFICER LT. KNAPP,
Defendants.

ORDER

AND NOW, this 11th day of March, 2019, upon consideration of Plaintiff's Complaint, ECF No. 6; the Corrections Defendants'² Motion to Dismiss, ECF No. 14; the Corrections Defendants' Memorandum supporting the Motion to Dismiss, ECF No. 15; Defendant Weiner's Motion to Dismiss and Brief in support, ECF No. 17; and Plaintiff's Response to the Corrections Defendants' Motion, ECF No. 23, and for the reasons set forth in the accompanying Opinion, **IT IS ORDERED THAT:**

1. The Corrections Defendants' Motion to Dismiss, ECF No. 14, is **GRANTED in part and DENIED in part**;

2. Defendant Weiner's Motion to Dismiss, ECF No. 17, is **GRANTED**;

¹ The correct spelling of this Defendant's name is Peurifoy.

² Defendants C. Link, Korzniak, J. Link, Knapp, Meredith, Peurifoy, Grossman, and Austin (the "Corrections Defendants").

3. Plaintiff's Civil Rights Act Claims, 42 U.S.C. § 1983, as to Defendants Korszniak, Grossman, C. Link, Peurifoy, Knapp, and Weiner are **DISMISSED without prejudice**;

4. Defendant Weiner's Motion for Summary Judgement, ECF No. 25, is **DISMISSED as moot**;

5. The deadline for Plaintiff to file an amended complaint will be stayed while counsel is sought;

6. The Clerk of Court is **DIRECTED** to refer this matter to the Prisoner Civil Rights Panel to attempt to obtain counsel for Plaintiff;³ and

7. This case is **STAYED** pending further order of Court.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge

³ The Court is referring this action to this district's Prisoner Civil Rights Panel to attempt to find a volunteer attorney willing to represent Santiago. However, the Court cannot compel an attorney to represent him, and there is no guarantee that an attorney will agree to accept his case. Accordingly, Santiago will have to wait to see if an attorney on the Panel is willing to accept his case.a